

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KENDALL CURRY,	:
Petitioner,	:
	:
	CIVIL ACTION
v.	:
	:
	NO. 13-3910
GERALD ROSUM,	:
Respondent.	:

ORDER

AND NOW, this 29th day of April 2015, upon careful and independent consideration of the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 [Doc. No. 1] and Petitioner's Motion Requesting Stay [Doc. No. 2], all memoranda and exhibits in support of the Petition, the Respondents' response thereto, and the entire record in this case, and upon review of the Report and Recommendation ("R&R") of United States Magistrate Judge Linda K. Caracappa [Doc. No. 16], and having reviewed *de novo* the grounds on which Petitioner objected, and for the reasons stated in the accompanying memorandum opinion, it is hereby

ORDERED that:

1. The Motion Requesting Stay is **GRANTED** as follows: The Clerk of Court shall place this case into **STAY AND CIVIL SUSPENSE** pending exhaustion of Petitioner's second petition pursuant to the Pennsylvania Post Conviction Relief Act ("PCRA"). Upon a final disposition of Petitioner's second PCRA petition, Petitioner and Respondent shall each **FILE** written notice of such final disposition within 30 days.
2. The Court **DECLINES TO ADOPT** the R&R; and
3. Petitioner's objections [Doc. No. 17] are **DISMISSED** as **MOOT**.

IT IS SO ORDERED.

BY THE COURT:

/s/ **Cynthia M. Rufe**

CYNTHIA M. Rufe, J.